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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,708	07/28/2003	Daniel J. Lubera	0275M-320COB	6717

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER
RODRIGUEZ, RUTH C

ART UNIT	PAPER NUMBER
3677	

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,708	LUBERA ET AL.	
	Examiner	Art Unit	
	Ruth C Rodriguez	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *57-90* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *57-90* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03 September 2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

Information Disclosure Statement

2. The information disclosure statement filed 03 September 2003 has been considered for this Office Action.

Claim Objections

3. Claim 57, 68 and 79 are objected to because of the following informalities:

- Claim 57, line 1, "a" should be deleted between "securing" and "two".
- Claim 68, line 1, "a" should be deleted between "securing" and "two".
- Claim 68 recites the limitation "the member" between lines 9 and 10. It is unclear to which member it is referring back since we have two members and at least one spring member.
- Claim 79, line 1, "a" should be deleted between "securing" and "two".

Correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 57, 58, 60-62, 64-67, 79-81, 83-85 and 87-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (US 6,381,811) in view of Anderson (US 5,251,467).

Smith discloses a resilient clip (12) secures two members (36,42) together wherein one of the members has an aperture (40) for receiving the resilient clip (Figs. 5-8). The resilient clip comprising a body portion (12) having an insertion end (20) and a flange (18) extending from an end of the body portion opposite to the insertion end (Fig. 2). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Figs. 5-8). At least one spring member (22) extends outwardly from the insertion end of the body portion (Figs. 1, 2, 5-8, 10 and 12). The spring member has an edge (26). The spring member has at least a portion that is twisted about an axis so that the edge is positioned to engage an edge of the aperture upon insertion (Figs. 1, 2, 5-8, 10 and 12). A central aperture in the body portion attaches a coupling member from the other of the members to the resilient clip (Figs. 5-8). Smith fails to disclose that the edge of the spring member defines a plurality of teeth where the plurality of teeth is positioned to engage an edge of the aperture upon

insertion. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have an edge with a plurality of teeth (Fig. 7). The teeth will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use a plurality of teeth in the edge of the spring members as taught by Anderson in the resilient clip disclosed by Smith. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Smith also discloses that:

- The body portion comprises a generally U-shape body defined by a pair of substantially parallel side wall members connected by a transition portion at the insertion end (Figs. 1, 2, 5-8, 10 and 12). The flange comprises two flange portions where each flange portion extending from an end of a side wall member opposite to the insertion end (Figs. 1, 2, 5-8, 10 and 12). The at least one spring member is two spring members and one of the two spring members extends from each of the side wall members of the body portion (Figs. 1, 2, 5-8, 10 and 12). The body portion further comprises at least one barb member (34) extending from the end of each of the side wall members opposite to the insertion end into the central aperture to grasp the coupling member (Figs. 1, 2, 5-8, 10 and 12).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1, 2, 5-8, 10 and 12).

- The resilient clip member is formed from a substantially flat spring steel member (Figs. 1, 2, 5-8, 10 and 12).

- The at least one spring member is two spring members, and wherein one of the two spring members extends from each side of the body portion (Figs. 1, 2, 5-8, 10 and 12).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1, 2, 5-8, 10 and 12).

- The resilient clip member is formed from a substantially flat sheet member (Figs. 1, 2, 5-8, 10 and 12).

- The resilient clip member is formed from spring steel (Figs. 1, 2, 5-8, 10 and 12)..

- The resilient clip further comprises at least one barb member (34) extending from the end of the body portion opposite to the insertion end into the central aperture to grasp the coupling member (Figs. 1, 2, 5-8, 10 and 12).

Smith discloses a resilient clip (12) secures two members (36,42) together wherein one of the members has an aperture (40) receiving the resilient clip (Figs. 5-8). The resilient clip comprises a body portion (12) of spring steel. The body portion has an insertion end (20) and a flange (18) extending from an end of the body portion opposite

to the insertion end (Figs. 1, 2, 5-8, 10 and 12). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Figs. 5-8). At least one spring member (22) extends from the body portion (Figs. 1, 2, 5-8, 10 and 12). A central aperture in the body portion attaches a coupling member from the other of the members to the resilient clip (Figs. 5-8). Smith fails to disclose that the spring member includes a recess where the recess engages an edge of the aperture upon insertion therein and to increase the force necessary for removal. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have a recess (Fig. 7). The recess will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use the recess of the spring members taught by Anderson in the resilient clip disclosed by Smith. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Smith also discloses that:

- The body portion comprises a generally U-shape body defined by a pair of substantially parallel side wall members connected by a transition portion at the insertion end (Figs. 1, 2, 5-8, 10 and 12). The flange comprises two flange portions and each flange portion extends from an end of a side wall member opposite to the insertion end (Figs. 1, 2, 5-8, 10 and 12). The at least one spring member is two spring members

and one of the two spring members extends from each of the side wall members of the body portion (Figs. 1, 2, 5-8, 10 and 12). The body portion further comprises at least one barb member (34) extending from the end of each of the side wall members opposite to the insertion end into the central aperture to grasp the coupling member (Figs. 1, 2, 5-8, 10 and 12).

- The spring member has at least a portion that is twisted about an axis so that the recess is positioned to engage an edge of the aperture upon insertion therein.
- The spring member has at least a portion that is twisted about an axis so that the recess is positioned to engage an edge of the aperture upon insertion therein (Figs. 1, 2, 5-8, 10 and 12).
- The at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1, 2, 5-8, 10 and 12).
- The resilient clip further comprises at least one barb member (34) extending from the end of the body portion opposite to the insertion end into the central aperture to grasp the coupling member (Figs. 1, 2, 5-8, 10 and 12).

Anderson also teaches that:

- The recess is a plurality of recesses (Fig. 7).
- The recess is in an edge of the spring member (Fig. 7).

6. Claims 57, 63-66, 68, 73-77, 79, 87, 89 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murray (US 4,300,865) in view of Anderson (US 5,251,467).

Murray discloses a resilient clip (12) secures two members (P,W) together wherein one of the members has an aperture (O) for receiving the resilient clip (Fig. 1). The resilient clip comprising a body portion (10) having an insertion end (24) and a flange (12) extending from an end of the body portion opposite to the insertion end (Figs. 1-5). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Fig. 1). At least one spring member (22) extends outwardly from the insertion end of the body portion (Figs. 1-5). The spring member has an edge (22c,26). The spring member has at least a portion that is twisted about an axis so that the edge is positioned to engage an edge of the aperture upon insertion (Figs. 1-5). A central aperture (13) in the body portion attaches a coupling member from the other of the members to the resilient clip (Figs. 1-5). Murray fails to disclose that the edge of the spring member defines a plurality of teeth where the plurality of teeth is positioned to engage an edge of the aperture upon insertion. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have an edge with a plurality of teeth (Fig. 7). The teeth will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use a plurality of teeth in the edge of the spring members as taught by Anderson in the resilient clip disclosed by Murray. Doing so, will lock the edges of the

spring members against the structure and allow for variations in the thickness of the structure.

Murray also discloses that:

- The at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1-5).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in same direction (Figs. 1-5).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1-5).

- The resilient clip member is formed from a substantially flat sheet member (Figs. 1-5).

- The resilient clip member is formed from spring steel (Figs. 1-5).

Murray discloses a resilient clip (12) secures two members (P,W) together wherein one of the members has an aperture (O) for receiving the resilient clip (Fig. 1). The resilient clip comprising a body portion (10) having an insertion end (24) and a flange (12) extending from an end of the body portion opposite to the insertion end (Figs. 1-5). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Fig. 1). At least one spring member (22) extends outwardly from the insertion end of the body portion (Figs. 1-5). The spring member has an untwisted surface contacting an inner periphery of the aperture in one of the

members and has a twisted portion (Figs. 1-5). A central aperture (13) in the body portion attaches a coupling member from the other of the members to the resilient clip (Figs. 1-5). Murray fails to disclose that the twisted portion has a plurality of peaks and valleys where the peaks and valleys are positioned to engage an edge of the aperture upon insertion and increase the force necessary for removal. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have an edge with a plurality of peaks and valleys (Fig. 7). The peaks and valleys will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use a plurality of peaks and valleys in the edge of the spring members as taught by Anderson in the resilient clip disclosed by Murray where the peaks and valleys are provided in the twisted portion and are positioned to engage an edge of the aperture upon insertion and increase the force necessary for removal. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Murray also discloses that:

- The at least one spring member is two spring members and wherein one

of the two spring members extends from each side of the body portion (Figs. 1-5).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in same direction (Figs. 1-5).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1-5).

- The resilient clip member is formed from a substantially flat sheet member (Figs. 1-5).

- The resilient clip member is formed from spring steel (Figs. 1-5).

Murray discloses a resilient clip (12) secures two members (P,W) together wherein one of the members has an aperture (O) receiving the resilient clip (Fig. 1). The resilient clip comprises a body portion (10) of spring steel. The body portion has an insertion end (24) and a flange (12) extending from an end of the body portion opposite to the insertion end (Figs. 1-5). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Fig. 1). At least one spring member (22) extends from the body portion (Figs. 1-5). A central aperture (13) in the body portion attaches a coupling member from the other of the members to the resilient clip (Fig. 1). Murray fails to disclose that the spring member includes a recess where the recess engages an edge of the aperture upon insertion therein and to increase the force necessary for removal. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson

also shows that the spring members have a recess (Fig. 7). The recess will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use the recess of the spring members taught by Anderson in the resilient clip disclosed by Murray. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Murray also discloses that the at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1-5).

Anderson also teaches that:

- The recess is a plurality of recesses (Fig. 7).
- The recess is in an edge of the spring member (Fig. 7).

7. Claims 57-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tinnerman (US 2,198,186) in view of Anderson (US 5,251,467).

Tinnerman discloses a resilient clip secures two members (A,S) together wherein one of the members has an aperture for receiving the resilient clip (Figs. 1-5 and 10). The resilient clip comprising a body portion (9,10,11, 30,31) having an insertion end (9) and a flange (20,21,40,41) extending from an end of the body portion opposite to the insertion end (Figs. 1-13). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Figs. 1-5 and 10). At least one spring member (12,13,32,33) extends outwardly from the insertion end of the body

portion (Figs. 1-13). The spring member has an edge (Figs. 1-13). The spring member has at least a portion that is twisted about an axis so that the edge is positioned to engage an edge of the aperture upon insertion (Figs. 1-13). A central aperture (between 24 and 25 or between 44 and 45) in the body portion could be used to attach a coupling member from the other of the members to the resilient clip (Figs. 1-13). Tinnerman fails to disclose that the edge of the spring member defines a plurality of teeth where the plurality of teeth is positioned to engage an edge of the aperture upon insertion. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have an edge with a plurality of teeth (Fig. 7). The teeth will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use a plurality of teeth in the edge of the spring members as taught by Anderson in the resilient clip disclosed by Tinnerman. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Tinnerman also discloses that:

- The body portion comprises a generally U-shape body defined by a pair of substantially parallel side wall members connected by a transition portion at the insertion end (Figs. 1-13). The flange comprises two flange portions where each flange portion extending from an end of a side wall member opposite to the insertion end (Figs.

1-13). The at least one spring member is two spring members and one of the two spring members extends from each of the side wall members of the body portion (Figs. 1-13). The body portion further comprises at least one barb member (24,25) extending from the end of each of the side wall members opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).

- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in same direction (Figs. 1-13).
- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1-13).
- The resilient clip is formed from a substantially flat spring steel member (Figs. 1-13)
- The at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1-13).
- The resilient clip member is formed from a substantially flat sheet member (Figs. 1-13).
- The resilient clip member is formed from spring steel (Figs. 1-13).
- The resilient clip further comprises at least one barb (24,25,44,45) extending from the end of the body portion opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).

Tinnerman discloses a resilient clip secures two members (A,S) together wherein one of the members has an aperture for receiving the resilient clip (Figs. 1-5 and 10). The resilient clip comprising a body portion (9,10,11,30,31) having an insertion end (9) and a flange (22,23,42,43) extending from an end of the body portion opposite to the insertion end (Figs. 1-13). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Figs. 1-5 and 10). At least one spring member (12,13,32,33) extends outwardly from the insertion end of the body portion (Figs. 1-13). The spring member has an untwisted surface contacting an inner periphery of the aperture in one of the members and has a twisted portion (Figs. 1-13). A central aperture (between 22 and 23 or between 42 and 43) in the body portion could attach a coupling member from the other of the members to the resilient clip (Figs. 1-13). Tinnerman fails to disclose that the twisted portion has a plurality of peaks and valleys where the peaks and valleys are positioned to engage an edge of the aperture upon insertion and increase the force necessary for removal. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson also shows that the spring members have an edge with a plurality of peaks and valleys (Fig. 7). The peaks and valleys will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use a plurality of peaks and valleys in the edge of the spring members as taught by Anderson in the resilient clip disclosed by Tinnerman where the

peaks and valleys are provided in the twisted portion and are positioned to engage an edge of the aperture upon insertion and increase the force necessary for removal. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Tinnerman also discloses that:

- The body portion comprises a generally U-shape body defined by a pair of substantially parallel side wall members connected by a transition portion at the insertion end (Figs. 1-13). The flange comprises two flange portions where each flange portion extending from an end of a side wall member opposite to the insertion end (Figs. 1-13). The at least one spring member is two spring members and one of the two spring members extends from each of the side wall members of the body portion (Figs. 1-13). The body portion further comprises at least one barb member (24,25) extending from the end of each of the side wall members opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).
- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in same direction (Figs. 1-13).
- The at least a portion of one spring member is twisted about an axis in a first direction and the at least a portion of the other spring member is twisted about an axis in a different direction (Figs. 1-13).
- The resilient clip is formed from a substantially flat spring steel member (Figs. 1-13)

- The at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1-13).
- The resilient clip member is formed from a substantially flat sheet member (Figs. 1-13).
- The resilient clip member is formed from spring steel (Figs. 1-13).
- The resilient clip further comprises at least one barb (24,25,44,45) extending from the end of the body portion opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).

Tinnerman discloses a resilient clip secures two members (A,S) together wherein one of the members has an aperture receiving the resilient clip (Figs. 1-5 and 10). The resilient clip comprises a body portion (9,10,11,30,31) of spring steel. The body portion has an insertion end (24) and a flange (20,21,40,41) extending from an end of the body portion opposite to the insertion end (Figs. 1-13). The insertion end inserts into the aperture and the flange portion engages a surrounding portion of the aperture (Figs. 1-5 and 10). At least one spring member (12,13,32,33) extends from the body portion (Figs. 1-13). A central aperture (between 22 and 23 or between 42 and 43) in the body portion could attach a coupling member from the other of the members to the resilient clip (Fig. 1-13). Tinnerman fails to disclose that the spring member includes a recess where the recess engages an edge of the aperture upon insertion therein and to increase the force necessary for removal. However, Anderson teaches a cam lock comprising a pair of spring members (25). The spring members initially are shown have an edge with a flat surface for contacting a structure (5,6) (Figs. 5 and 6). Anderson

also shows that the spring members have a recess (Fig. 7). The recess will lock the edges of the spring members against the structure and allow for variations in thickness of the structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use the recess of the spring members taught by Anderson in the resilient clip disclosed by Tinnerman. Doing so, will lock the edges of the spring members against the structure and allow for variations in the thickness of the structure.

Tinnerman also discloses that:

- The body portion comprises a generally U-shape body defined by a pair of substantially parallel side wall members connected by a transition portion at the insertion end (Figs. 1-13). The flange comprises two flange portions where each flange portion extending from an end of a side wall member opposite to the insertion end (Figs. 1-13). The at least one spring member is two spring members and one of the two spring members extends from each of the side wall members of the body portion (Figs. 1-13). The body portion further comprises at least one barb member (24,25) extending from the end of each of the side wall members opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).
- The spring member has at least a portion that is twisted about an axis so that the edge is positioned to engage an edge of the aperture upon insertion therein (Figs. 1-13).
- The spring member has an untwisted surface adapted to contact the inner perimeter of the aperture in the member.

- The at least one spring member is two spring members and wherein one of the two spring members extends from each side of the body portion (Figs. 1-13).
- The resilient clip further comprises at least one barb (24,25,44,45) extending from the end of the body portion opposite to the insertion end into the central aperture that could grasp the coupling member (Figs. 1-13).

Anderson also teaches that:

- The recess is a plurality of recesses (Fig. 7).
- The recess is in an edge of the spring member (Fig. 7).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parkin (US 2,825,948 and US 2,964,814), Munse (US 2,885,754), Hamman (US 2,961,723), Osborn (US 4,383,716), Smith et al. (US 6,497,011 B2, US 6,527,471 B2 and US 6,648,542 B2) and Vassiliou (US 6,691,380 B2) are cited to show state of the art with respect to resilient clips having some of the features claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (703) 308-1881. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115.

Submissions of your responses by facsimile transmission are encouraged. Technology center 3600's facsimile number for before and final communications is (703) 872-9306. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee that the applicant is paying by check **should not be** submitted by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:

> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9326) on ___(Date)___.
>
> _____
> (Typed or printed name of person signing this certificate)
>
> _____
> (Signature)

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

RCR
rcr
March 22, 2004

ROBERT J. SANDY
PRIMARY EXAMINER